

THURSDAY, FEBRUARY 7, 1991

SEVENTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Bill Bargiol, Big Emory Baptist Association.

Representative Dennis Ferguson led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 94

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bittle, Bivens, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Bell; due to out-of-town commitment.

Representative Cole; due to a prior commitment.

Representative Napier; to attend the annual meeting of the National Association of Conservation Districts in Atlanta, Georgia.

Representative Nuber; due to family business.

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CONSENT CALENDAR

House Joint Resolution No. 0048 -- Memorials, Retirement --
Cling West.

House Bill No. 0177 -- Mason -- Changes manner of electing city
recorder. Amends Chapter 120, Private Acts of 1915, as amended.

House Bill No. 0179 -- White County -- Abolishes county highway
department and commissioners. Repeals Chapter 15, Private Acts of
1987, as amended.

House Bill No. 0263 -- Henry -- Changes term of office for mayor
and aldermen. Amends Chapter 52, Private Acts of 1979.

House Bill No. 0272 -- Marshall County -- Creates office of
county attorney. Amends Chapter 29, Private Acts of 1977.

House Bill No. 0324 -- Hamblen County -- Increases salaries of
road commissioners. Amends Chapter 313, Private Acts of 1949, as
amended.

On motion, House Bill No. 324 was made to conform with Senate
Bill No. 352.

On motion, Senate Bill No. 352, on same subject, was substituted
for House Bill No. 324.

House Bill No. 0368 -- Unicoi County -- Authorizes establishment
of dog and cat control program.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent
Calendar:

House Bill No. 263; by Rep. R. Jones.

Under the rules, House Bill No. 263 was/were placed at the foot
of the calendar for Monday, February 11, 1991.

Pursuant to Rule No. 50, Rep. Phillips moved that all House
Bills having companion Senate Bills on the Clerk's desk be conformed
and substituted for the appropriate House Bill, that all Senate and
House Bills on the Consent Calendar be passed on third and final
consideration, all House Resolutions and House Joint Resolutions be
adopted, and all Senate Joint Resolutions on the Consent Calendar be
concurrent in, which motion prevailed by the following vote:

Ayes.	94
Noes.	0

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Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Kisber moved that the rules be suspended for the purpose of passing House Bill No. 683 on third consideration out of order, which motion prevailed.

House Bill No. 0683 -- Madison County -- Repeals highway law. Repeals Chapter 92, Private Acts of 1987, as amended.

Rep. Kisber moved that House Bill No. 683 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.	93
Noes.	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bittle, Bivens, Bragg, Buck, Byrd, Chiles, Chumney, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Odom, Peroulas, Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

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RULES SUSPENDED

Rep. Armstrong moved that the rules be suspended for the purpose of introducing **House Resolution No. 2** out of order, which motion prevailed.

House Resolution No. 0002 -- Memorials, Death -- Ruth Evelyn Morgan Brandenburg. by *Armstrong.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Armstrong, the resolution was adopted.

A motion to reconsider was tabled.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 325: Rep(s). Williams (Union) as prime sponsor(s).

House Bill No. 513: Rep(s). Liles as prime sponsor(s).

House Bill No. 752: Rep(s). Armstrong, Pinion and Tindell as prime sponsor(s).

INTRODUCTION OF RESOLUTIONS

On motion, the resolution(s) listed was/were introduced and referred as noted:

House Joint Resolution No. 0062 -- Memorials, Government Officials -- Tennessee Flora 2000 Project. by *Curlee.

Referred by the Speaker to the Conservation and Environment Committee.

House Joint Resolution No. 0064 -- Memorials, Recognition and Thanks -- Five Oaks Development Group and Charlynn Maxwell-Porter. by *Huskey, *Davis R E, *Kent, *Anderson, *Severance, *Naifeh, *Cross.

Referred by the Speaker to the Calendar and Rules Committee.

House Joint Resolution No. 0065 -- Memorials, Personal Occasion -- Trochu Branham Garth, 90th birthday. by *Naifeh, *Moore, *Purcell, *Pinion, *Rinks, *Rhinehart, *Ridgeway.

Referred by the Speaker to the Calendar and Rules Committee.

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House Joint Resolution No. 0066 -- Memorials, Public Service -- Cecil Flowers, service to state parks. by *Crain, *Kisber.

Referred by the Speaker to the Calendar and Rules Committee.

***House Joint Resolution No. 0067** -- Highway Signs -- Don C Bales Memorial Bridge, Union School Road in Knox County. by *Davis J K.

Referred by the Speaker to the Transportation Committee.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

RULES SUSPENDED

Rep. Love moved that the rules be suspended for the purpose of concurring in Senate Joint Resolution No. 74, which motion prevailed.

Senate Joint Resolution No. 0074 -- Memorials, Public Service -- Senator Avon N. Williams, Jr.

On motion of Rep. Love, the resolution was concurred in.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Byrd moved that the rules be suspended for the purpose of concurring in Senate Joint Resolution No. 72, which motion prevailed.

Senate Joint Resolution No. 0072 -- Memorials, Professional and Business Achievement -- Dr. Ada Jane Walters, Greater Memphis State's 1990 Educator of the Year.

On motion of Rep. Byrd, the resolution was concurred in.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Byrd moved that the rules be suspended for the purpose of concurring in Senate Joint Resolution No. 73, which motion prevailed.

Senate Joint Resolution No. 0073 -- Memorials, Professional and Business Achievement -- Dr. Marcus W. Orr, Walter A. Barret Distinguished Service Award.

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On motion of Rep. Byrd, the resolution was concurred in.

A motion to reconsider was tabled.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 0793 -- Agriculture -- Authorizes draining certain wetlands under general permits. Amends TCA, Title 69. by *Holt, *Crain, *Davis Ray, *Walley, *Gunnels, *Kisber, *Niceley, *Rinks, *Pinion, *Collier, *Sipes, *Ridgeway, *Herron, Buck.

Passed first consideration.

House Bill No. 0794 -- District Attorneys -- Adds assistant district attorney for 10th judicial district. Amends TCA 16-2-506. by *Bivens, *Gunnels, *McKee, *Harrill.

Passed first consideration.

House Bill No. 0795 -- District Attorneys -- Adds additional criminal investigator and secretary to 10th judicial district; appropriates funds. Amends TCA 16-2-506. by *Bivens, *Gunnels, *McKee, *Harrill.

Passed first consideration.

House Bill No. 0796 -- Pensions and Retirement Benefits -- Authorizes death and disability benefits for certain inactive members. Amends TCA, Title 8, Ch. 36, Pt. 1. by *Rhinehart.

Passed first consideration.

House Bill No. 0797 -- Insurance Companies, Agents, Brokers -- Revises Insurance Holding Company System Act of 1986. Amends TCA, Title 56, Ch. 11, Pt. 2. by *Bivens.

Passed first consideration.

House Bill No. 0798 -- Education -- Exempts high school students from physical education requirement during participation in interscholastic athletics. Amends TCA, Title 49, Ch. 6, Pt. 12. by *Bivens.

Passed first consideration.

House Bill No. 0799 -- County Officers -- Expands time for county executive to review resolution before action is necessary. Amends TCA, Title 5, Ch. 6. by *Rhinehart.

Passed first consideration.

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House Bill No. 0800 -- Education -- Includes children with dyslexia in definition of "handicapped"; requires appropriate instruction. Amends TCA, Title 49, Ch. 10, Pt. 1. by *Davidson.

Passed first consideration.

House Bill No. 0801 -- Fairs -- Classifies state fairs by county population for annual award purposes; provides for distribution of prize moneys. Amends TCA, Title 43, Ch. 21. by *Davidson.

Passed first consideration.

House Bill No. 0802 -- Health -- Removes requirement that hospitals make annual statistical report to department of health and environment. Amends TCA, Titles 56, 68. by *Bivens.

Passed first consideration.

House Bill No. 0803 -- Education, Higher -- Provides for higher education tuition payments for certain students. Amends TCA, Title 49. by *Davidson, *Curlee, *Halteman.

Passed first consideration.

House Bill No. 0804 -- Hospitals and Health Care Facilities -- Requires notice of date of last inspection for all health care equipment. Amends TCA, Title 68, Ch. 11. by *Garrett.

Passed first consideration.

House Bill No. 0805 -- Garnishments and Executions -- Revises law concerning garnishment. Amends TCA, Title 26, Ch. 1, 26-1-108; Title 29, Ch. 7, 29-7-108, 45-2-706. by *Buck, *Byrd.

Passed first consideration.

House Bill No. 0806 -- Education, Higher -- Enacts "Tennessee Student Choice Grant Program". Amends TCA, Title 49, Ch. 4. by *Kisber.

Passed first consideration.

House Bill No. 0807 -- Workers' Compensation -- Authorizes creation of assigned risk insurance pool. Amends TCA, Title 50, Ch. 6. by *Kisber.

Passed first consideration.

House Bill No. 0808 -- Workers' Compensation -- Assesses penalty against carrier failing to make timely payment on certain claims. Amends TCA, Title 50, Ch. 6. by *Kisber.

Passed first consideration.

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House Bill No. 0809 -- Workers' Compensation -- Shortens time for which no compensation will be paid. Amends TCA 50-6-101--203, 205--411. by *Kisber.

Passed first consideration.

House Bill No. 0810 -- Education, Higher -- Enacts "Ethics/Conflict of Interest of Administrators Law of 1991". Amends TCA, Titles 8, 12, 49. by *Kisber.

Passed first consideration.

House Bill No. 0811 -- Education -- Provides for assessment of student progress. Amends TCA, Title 49. by *Kisber.

Passed first consideration.

House Bill No. 0812 -- Taxes -- Revises distribution of sales tax revenues. Amends TCA, Title 67. by *Kisber.

Passed first consideration.

House Bill No. 0813 -- Telecommunications -- Increases notice provision for hearings on application for certificate to expand public utility. Amends TCA, Title 65. by *Kisber.

Passed first consideration.

House Bill No. 0814 -- Financial Disclosure -- Increases threshold for exemption from financial disclosure filing requirement. Amends TCA, Title 2, Ch. 10. by *Kisber.

Passed first consideration.

House Bill No. 0815 -- Driver Licenses -- Authorizes suspension or denial of driver licenses of certain persons committing certain acts involving alcohol. Amends TCA, Title 55, Ch. 10, Pt. 7; Title 57, Chs. 3--5. by *Kisber, *Ridgeway, *Byrd.

Passed first consideration.

House Bill No. 0816 -- Agriculture -- Enacts "Tennessee Apiary Act of 1991". Amends TCA, Title 44, Ch. 15, Pt. 1. by *Gunnels.

Passed first consideration.

House Bill No. 0817 -- Benton -- Changes penalty for property tax delinquency as prescribed by state law. Amends Chapter 204, Private Acts of 1988, as amended. by *Harrill.

Passed first consideration.

House Bill No. 0818 -- Pensions and Retirement Benefits --

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Increases credit for military service permitted in TCRS. Amends TCA, Title 8, Ch. 34, Pt. 6. by *Rhinehart.

Passed first consideration.

House Bill No. 0819 -- Home Improvement Contractors -- Expands application of Home Improvement Law. Amends TCA, Title 62, Ch. 37. by *Byrd.

Passed first consideration.

House Bill No. 0820 -- County Officers -- Raises fees for sheriffs. Amends TCA 8-21-901, 55-10-403. by *Byrd.

Passed first consideration.

House Bill No. 0821 -- Election Laws -- Requires notice of office sought on qualifying petition. Amends TCA, Title 2. by *Byrd, *Tullos.

Passed first consideration.

House Bill No. 0822 -- Architects and Engineers -- Provides immunity from negligence actions for engineers and architects offering certain professional services in event of earthquake. Amends TCA, Title 62, Ch. 2. by *Byrd.

Passed first consideration.

House Bill No. 0823 -- Home Improvement Contractors -- Redefines "home improvement"; revises membership of home improvement commission; abolishes home improvement guaranty fund. Amends TCA, Title 62, Ch. 37. by *Byrd.

Passed first consideration.

House Bill No. 0824 -- Taxes, Sales -- Removes time limitation on special allocation of certain tax revenues. Repeals Chapter 1025, Section 2, Public Acts of 1988. Amends TCA 67-6-103. by *Huskey, *Davis R E.

Passed first consideration.

House Bill No. 0825 -- Election Laws -- Removes county election commission's duty to publish absentee voter lists in newspaper. Amends TCA 2-6-115. by *Pinion, *Chiles.

Passed first consideration.

House Bill No. 0826 -- Contractors -- Creates advisory board for general contractors; establishes statewide testing. Amends TCA, Title 62, Ch. 6. by *Rigsby.

Passed first consideration.

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House Bill No. 0827 -- Alcoholic Beverages -- Specifies times at which local option elections may be held. Amends TCA, Title 57. by *Rigsby.

Passed first consideration.

House Bill No. 0828 -- Correctional Programs -- Establishes pilot project for chemically dependent inmates. Amends TCA, Titles 4, 8, 33, 40, 41. by *Rigsby.

Passed first consideration.

House Bill No. 0829 -- Alcoholic Beverages -- Authorizes licensed manufacturers to make retail sales of product on premises of manufacturer in commemorative bottles. Amends TCA, Title 57, Chs. 2--4. by *Rigsby.

Passed first consideration.

House Bill No. 0830 -- Franklin County -- Clarifies county attorney term. Amends Chapter 586, Private Acts of 1939, as amended. by *Rigsby.

Passed first consideration.

House Bill No. 0831 -- Wildlife Resources Commission -- Increases membership from ten to twelve citizens. by *Rigsby.

Passed first consideration.

House Bill No. 0832 -- Uniform Commercial Code -- Enacts Uniform Commercial Code - Funds Transfers. Amends TCA, Title 47. by *Anderson, *Rhinehart, *Bivens, *West, *Garrett, *Ridgeway, *Holt, *Severance.

Passed first consideration.

House Bill No. 0833 -- Credit Unions -- Applies certain provisions relative to deposit on death accounts and powers of attorney to credit unions. Amends TCA, Title 45, Ch. 4, Pt. 4. by *Bivens, *Wood, *McAfee, *Crain, *Coffey, *Hassell, *Robinson C B, *Hubbard, *Hillis, *Severance.

Passed first consideration.

House Bill No. 0834 -- Contractors -- Revises requirements for licensure as general contractor. Amends TCA, Title 62, Ch. 6. by *Head, *Wix.

Passed first consideration.

House Bill No. 0835 -- Contractors -- Authorizes unlicensed contractors to perform work on federal lands under certain

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circumstances. Amends TCA, Title 62, Ch. 6. by *Head, *Wix.

Passed first consideration.

***House Bill No. 0836** -- Contractors -- Authorizes certain officials to seek injunction enjoining person contracting without license. Amends TCA, Title 62, Ch. 6. by *Head, *Wix.

Passed first consideration.

House Bill No. 0837 -- Contractors -- Includes construction manager within definition of "general contractor" for licensing purposes. Amends TCA, Title 62, Ch. 6. by *Head, *Wix.

Passed first consideration.

House Bill No. 0838 -- Contractors -- Redefines "subcontractors" for purposes of licensing requirements. Amends TCA 62-6-102. by *Head, *Wix.

Passed first consideration.

House Bill No. 0839 -- Contractors -- Revises criminal penalties for contracting without license. Amends TCA 62-6-119, 120. by *Head, *Wix.

Passed first consideration.

House Bill No. 0840 -- Contractors -- Allows general contractors to place licenses in retirement. Amends TCA, Title 62, Ch. 6. by *Head, *Wix.

Passed first consideration.

House Bill No. 0841 -- Taxes, Severance -- Exempts material subject to sales and use tax. Amends TCA 67-6-209, 67-7-202. by *Head, *Robinson Robb, *Huskey, *Anderson, *Wix, *Collier.

Passed first consideration.

House Bill No. 0842 -- Workers' Compensation -- Sets maximum fee physician may charge for oral deposition. Amends TCA, Title 50, Ch. 6, Pt. 2. by *Head, *Davis R E.

Passed first consideration.

House Bill No. 0843 -- Workers' Compensation -- Abolishes direct appeal to supreme court. Amends TCA, Title 50, Ch. 6, Pt. 2. by *Head, *Davis R E.

Passed first consideration.

House Bill No. 0844 -- Workers' Compensation -- Requires department of labor to adopt schedule for maximum allowable

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charges. Amends TCA, Title 50, Ch. 6. by *Head, *Davis R E.

Passed first consideration.

House Bill No. 0845 -- Wills -- Grants jurisdiction to probate courts to try will contests, determine validity of wills, and construe wills. Amends TCA, Title 16, Ch. 10; Title 32, Chs. 3, 4. by *Purcell, *Clark, *Chumney.

Passed first consideration.

House Bill No. 0846 -- Traffic Safety -- Revises certain time periods under Motor Vehicle Habitual Offenders Act. Amends TCA, Title 55, Ch. 10, Pt. 6. by *Purcell, *Jackson, *Hargrove, *Clark, *Turner B.

Passed first consideration.

***House Bill No. 0847** -- Real Estate Agents and Brokers -- Revises certain experience requirements for qualification as licensed or certified real estate appraiser. Amends TCA, Title 62, Ch. 39, Pt. 1. by *Shirley.

Passed first consideration.

House Bill No. 0848 -- Teachers -- Extends tuition discount to children of retired teachers. Amends TCA 49-7-119. by *Tindell, *Pinion, *Johnson, *Ridgeway, *Chiles, *Peroulas Draper, *Bittle, *Turner B, *Cross, *Moore, *Armstrong.

Passed first consideration.

House Bill No. 0849 -- Education -- Provides for waiver of all school-related fees for certain persons. Amends TCA, Title 49, Ch. 6. by *Dixon, *DeBerry, *Jones U, *Turner L, *Armstrong.

Passed first consideration.

House Bill No. 0850 -- Liens -- Provides for perfection of liens and security interests. Amends TCA, Title 55, Ch. 3. by *Rhinehart, *Haun, *Curlee, *DeBerry, *Cole.

Passed first consideration.

House Bill No. 0851 -- District Attorneys -- Provides for additional assistant district attorneys and criminal investigators in 1st judicial district. Amends TCA 16-2-506. by *Cole, *Allen, *Robinson Ruth, *Whitson.

Passed first consideration.

House Bill No. 0852 -- District Attorneys -- Authorizes additional assistant district attorney general for 21st judicial

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district. Amends TCA 16-2-506. by *Jackson, *Callicott.

Passed first consideration.

House Bill No. 0853 -- Utilities, Utility Districts -- Establishes certain requirements for service by public electric system. Amends TCA, Title 68, Ch. 13, Pt. 4. by *Davis J K.

Passed first consideration.

House Bill No. 0854 -- Judges and Chancellors -- Staggers terms of judges. Amends TCA, Titles 2, 16. by *Chumney.

Passed first consideration.

House Bill No. 0855 -- Divorce and Annulment -- Allows divorce to be granted on grounds of irreconcilable differences under certain circumstances even if contested. Amends TCA 36-4-103. by *Chumney.

Passed first consideration.

House Bill No. 0856 -- Boards and Commissions -- Requires deposit in general fund of moneys collected by certain regulatory boards. Amends TCA, Titles 4, 56, 62. by *Kisber, *King.

Passed first consideration.

House Bill No. 0857 -- Age of Majority -- Restricts minors from voiding certain contracts solely due to minority. Amends TCA, Title 47, Ch. 50, Pt. 1. by *Rhinehart.

Passed first consideration.

House Bill No. 0858 -- Motor Vehicles -- Extends time period for filing rate changes with motor vehicle commission. Amends TCA, Titles 39, 47, 55. by *Cole.

Passed first consideration.

House Bill No. 0859 -- Hickman County -- Increases severance tax from 5 cents per ton to 15 cents per ton. Amends Chapter 92, Private Acts of 1979. by *Jackson.

Passed first consideration.

House Bill No. 0860 -- Hickman County -- Increases severance tax on phosphate rock, ore or phosphate bearing material. Amends Chapter 92 of Private Acts of 1979. by *Jackson.

Passed first consideration.

House Bill No. 0861 -- Animals -- Revises classifications and

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regulations for exotic animals. Amends TCA, Title 70, Ch. 4, Pt. 4. by *Robinson Robb.

Passed first consideration.

House Bill No. 0862 -- Taxes, Income -- Imposes payroll tax on employers; authorizes commissioner to promulgate regulations. Amends TCA, Title 67. by *Love.

Passed first consideration.

House Bill No. 0863 -- Taxes, Income -- Authorizes counties or municipalities to impose payroll tax on certain wages. Amends TCA, Title 67. by *Rhinehart.

Passed first consideration.

House Bill No. 0864 -- Taxes, Sales -- Increases sales tax allocated to general fund; establishes maximum local option tax. Amends TCA 67-6-103, 67-6-202--205, 221, 67-6-702. by *Rhinehart.

Passed first consideration.

House Bill No. 0865 -- Taxes, Sales -- Authorizes local option sales tax to exceed cap if proceeds expended for education. Amends TCA 67-6-702. by *Rhinehart.

Passed first consideration.

House Bill No. 0866 -- Taxes, Sales -- Increases sales tax for certain items; establishes allocation. Amends TCA 67-6-103, 67-6-202--205, 221, 67-6-702. by *Rhinehart.

Passed first consideration.

House Bill No. 0867 -- Taxes, Sales -- Removes certain sales and use tax exemptions. Amends TCA, Title 67, Ch. 6. by *Rhinehart.

Passed first consideration.

House Bill No. 0868 -- Taxes -- Makes certain revisions to tax provisions. Amends TCA, Title 67, Chs. 2, 4, 67-6-102, 67-6-702. by *Rhinehart.

Passed first consideration.

House Bill No. 0869 -- Salaries and Benefits -- Revises time for companies to file prevailing wage reports. Amends TCA 12-4-405. by *Rhinehart.

Passed first consideration.

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HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred to committee or held on the Clerk's desk as noted:

House Bill No. 0719 -- Public Service Commission -- Passed second consideration and referred to the Transportation Committee.

House Bill No. 0720 -- County Officers -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0721 -- Safety, Dept. of -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0722 -- Alcoholic Beverages -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0723 -- State Employees -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0724 -- Pensions and Retirement Benefits -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0725 -- Election Laws -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0726 -- Animals -- Passed second consideration and referred to the Conservation and Environment Committee.

House Bill No. 0727 -- Loudon -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 0728 -- Taxes, Real Property -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0729 -- Public Records -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0730 -- Intergovernmental Relations -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0731 -- Education, Higher -- Passed second consideration and referred to the Education Committee.

House Bill No. 0732 -- Education, Higher -- Passed second consideration and referred to the Education Committee.

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House Bill No. 0733 -- Election Laws -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0734 -- Real Property -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0735 -- Obscenity and Pornography -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0736 -- Election Laws -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0737 -- Election Laws -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0738 -- Dentists -- Passed second consideration and referred to the Health and Human Resources Committee.

House Bill No. 0739 -- Teachers -- Passed second consideration and referred to the Education Committee.

House Bill No. 0740 -- Sexual Offenses -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0741 -- Funeral Directors and Embalmers -- Passed second consideration and referred to the Government Operations Committee.

House Bill No. 0742 -- County Government -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0743 -- Sexual Offenses -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0744 -- Architects and Engineers -- Passed second consideration and referred to the Health and Human Resources Committee.

House Bill No. 0745 -- Taxes, Real Property -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0746 -- Motor Vehicles -- Passed second consideration and referred to the Transportation Committee.

House Bill No. 0747 -- Motor Vehicles, Titling and Registration -- Passed second consideration and referred to the Transportation Committee.

House Bill No. 0748 -- Utilities, Utility Districts -- Passed

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second consideration and referred to the State and Local Government Committee.

House Bill No. 0749 -- Highway Signs -- Passed second consideration and referred to the Transportation Committee.

***House Bill No. 0750 -- Drugs --** Passed second consideration and referred to the Health and Human Resources Committee.

House Bill No. 0751 -- Election Laws -- Passed second consideration and referred to the State and Local Government Committee.

***House Bill No. 0752 -- Education --** Passed second consideration and referred to the Education Committee.

House Bill No. 0753 -- Public Service Commission -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0754 -- Economic and Community Development, Dept. of -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 0755 -- Tort Liability -- Passed second consideration and referred to the Conservation and Environment.

House Bill No. 0756 -- Tennessee Wildlife Resources Agency -- Passed second consideration and referred to the Conservation and Environment.

House Bill No. 0757 -- Taxes, Real Property -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0758 -- Taxes -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0759 -- Liens -- Passed second consideration and referred to the State and Local Government Committee.

***House Bill No. 0760 -- Pensions and Retirement Benefits --** Passed second consideration and referred to the Education Committee.

House Bill No. 0761 -- Pensions and Retirement Benefits -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0762 -- Pensions and Retirement Benefits -- Passed second consideration and referred to the State and Local Government Committee.

***House Bill No. 0763 -- Taxes, Gasoline, Petroleum Products --** Passed second consideration and referred to the Commerce Committee.

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House Bill No. 0764 -- Criminal Procedure -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0765 -- Taxes, Real Property -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0766 -- Judicial Officers -- Passed second consideration and referred to the Judiciary Committee.

House Bill No. 0767 -- Taxes, Hotel Motel -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 0768 -- Taxes -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 0769 -- Insurance, Health, Accident -- Passed second consideration and referred to the Health and Human Resources Committee.

House Bill No. 0770 -- Taxes -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 0771 -- Taxes -- Passed second consideration and referred to the Conservation and Environment Committee.

House Bill No. 0772 -- Taxes -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 0773 -- Hospitals and Health Care Facilities -- Passed second consideration and referred to the Health and Human Resources Committee.

House Bill No. 0774 -- Parks, Natural Areas Preservation -- Passed second consideration and referred to the Conservation and Environment Committee.

House Bill No. 0775 -- Alcoholic Beverage Commission -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0776 -- Children -- Passed second consideration and referred to the Health and Human Resources Committee.

***House Bill No. 0777** -- Sunset Laws -- Passed second consideration and referred to the Government Operations Committee.

***House Bill No. 0778** -- Sunset Laws -- Passed second consideration and referred to the Government Operations Committee.

***House Bill No. 0779** -- Sunset Laws -- Passed second consideration and referred to the Government Operations Committee.

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House Bill No. 0780 -- Education -- Passed second consideration and referred to the Education Committee.

House Bill No. 0781 -- Banks and Financial Institutions -- Passed second consideration and referred to the Commerce Committee.

House Bill No. 0782 -- Hickman County -- Passed second consideration and held on Clerk's desk pending approval by local delegation.

House Bill No. 0783 -- Hazardous Materials -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0784 -- Solid Waste Disposal -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0785 -- Education -- Passed second consideration and referred to the Education Committee.

House Bill No. 0786 -- Education -- Passed second consideration and referred to the Education Committee.

House Bill No. 0787 -- Education -- Passed second consideration and referred to the Education Committee.

House Bill No. 0788 -- Highway Signs -- Passed second consideration and referred to the Transportation Committee.

House Bill No. 0789 -- Pensions and Retirement Benefits -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0790 -- Solid Waste Disposal -- Passed second consideration and referred to the State and Local Government Committee.

House Bill No. 0791 -- Education -- Passed second consideration and referred to the Education Committee.

House Bill No. 0792 -- District Attorneys -- Passed second consideration and referred to the Judiciary Committee.

**REPORT OF COMMITTEE ON CALENDAR AND RULES
CONSENT CALENDAR
February 7, 1991**

MR. SPEAKER: The officers of your Calendar and Rules Committee report that we have set the following bill(s) and/or resolution(s) on the Consent Calendar for Monday, February 11, 1991: House Joint Resolution(s) No(s). 64, 65 and 66.

PHILLIPS, Chair.

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**MESSAGE FROM THE SENATE
February 7, 1991**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 24 and 26; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**MESSAGE FROM THE SENATE
February 7, 1991**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 57 and 62; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**MESSAGE FROM THE SENATE
February 7, 1991**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 55; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**ENROLLED BILLS
February 7, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution(s) No(s). 55; also, House Resolution(s) No(s). 2; and find same correctly enrolled and ready for the signature(s) of the Speaker(s).

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**SIGNED
February 7, 1991**

The Speaker announced that he had signed the following: House Joint Resolution(s) No(s). 55; also, House Resolution(s) No(s). 2.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

THURSDAY, FEBRUARY 7, 1991 -- SEVENTH LEGISLATIVE DAY

**MESSAGE FROM THE SENATE
February 7, 1991**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 55; signed by the Speaker.

**CLYDE W. McCULLOUGH, JR.,
Chief Clerk.**

**REPORT OF CHIEF ENGROSSING CLERK
February 7, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution(s) No(s). 55; for his action.

**BETTY KAY FRANCIS,
Chief Engrossing Clerk.**

**ENGROSSED BILLS
February 7, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill(s) No(s). 177, 179, 272, 368 and 683; also, House Joint Resolution(s) No(s). 48; and find same correctly engrossed and ready for transmission to the Senate.

**BETTY KAY FRANCIS,
Chief Engrossing Clerk.**

**MESSAGE FROM THE SENATE
February 7, 1991**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 63, 64, 65, 67 and 68; adopted for concurrence.

**CLYDE W. McCULLOUGH, JR.,
Chief Clerk.**

Senate Joint Resolution No. 0063 -- Memorials, Professional and Business Achievement -- Appalachian Electric Cooperative, fiftieth anniversary. by *Lawson.

Senate Joint Resolution No. 0064 -- Memorials, Sports -- Middle Tennessee State University football team. by *Womack, *Rochelle, et al.

Senate Joint Resolution No. 0065 -- Memorials, Public Service -- McMinnville Manufacturing Company. by *Cooper.

Senate Joint Resolution No. 0067 -- Memorials, Retirement -- Herb Faught, Chief Deputy. by *McKnight.

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Senate Joint Resolution No. 0068 -- Memorials, Sports -- Shelbyville High School girls' basketball team. by *McKnight.

MESSAGE FROM THE SENATE
February 7, 1991

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 23, 24, 53, 88, 125 and 130; passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

***Senate Bill No. 0023** -- Publications, State -- Requires secretary of state to distribute public acts to assessors of property. Amends TCA 12-6-102.

***Senate Bill No. 0024** -- Public Records -- Allows photocopying and return of original federal tax lien documents to filer by county register. Amends TCA, Title 66, Ch. 21.

***Senate Bill No. 0053** -- Ethics -- Prohibits disqualification of member of local governing body from employment as court reporter in matters involving member. Amends TCA, Title 12, Ch. 4, Pt. 1.

***Senate Bill No. 0088** -- General Assembly -- Requires that formal action to name or rename a public structure or facility must be by legislative enactment or joint resolution. Amends TCA, Title 3, Ch. 2.

***Senate Bill No. 0125** -- Alcoholic Beverages -- Decreases days a restaurant must be open to serve alcoholic beverages. Amends TCA 57-4-102.

***Senate Bill No. 0130** -- Alcoholic Beverages -- Authorizes "microbreweries" in Davidson and Shelby counties; allows certain manufacturers to operate restaurant and sell directly to retailers. Amends TCA 55-5-101.

MESSAGE FROM THE GOVERNOR
February 7, 1991

MR. SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 55, with his approval.

DAVID H. WELLES,
Counsel to the Governor.

SIGNED
February 7, 1991

The Speaker announced that he had signed the following: Senate

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Joint Resolution(s) No(s). 34, 35, 36, 38, 39, 40, 41, 42, 43, 44, 46 and 47.

**ENROLLED BILLS
February 7, 1991**

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution(s) No(s). 24 and 26; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS,
Chief Engrossing Clerk.

**MESSAGE FROM THE SENATE
February 7, 1991**

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 72, 73 and 74; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

**SIGNED
February 7, 1991**

The Speaker announced that he had signed the following: Senate Joint Resolution(s) No(s). 72, 73 and 74.

**SIGNED
February 7, 1991**

The Speaker announced that he had signed the following: House Joint Resolution(s) No(s). 24 and 26.

**SIGNED
February 7, 1991**

The Speaker announced that he had signed the following: Senate Joint Resolution(s) No(s). 57 and 62.

ROLL CALL

The roll call was taken with the following results:

Present 95

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Representatives present were: Allen, Anderson, Armstrong, Arriola, Bittle, Bivens, Bragg, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Collier, Copeland, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dixon, Duer, Ferguson, Fowlkes, Garrett, Givens, Gunnels, Haley, Halteman, Hargrove, Harrill, Hassell, Haun, Head, Herron, Hill, Hillis, Holcomb, Holt, Hubbard, Huskey, Jackson, Johnson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, King, Kisber, Knight, Liles, Love, McAfee, McDaniel, McKee, Meyer, Moore, Niceley, Odom, Peroulas Draper, Phillips, Pinion, Pruitt, Purcell, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sipes, Stamps, Tindell, Tullos, Turner (Hamilton), Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Windle, Winningham, Wix, Wood, Mr. Speaker Naifeh -- 95.

On motion of Rep. Purcell, the House recessed until 5:00 p.m., Monday, February 11, 1991.